

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN KARL WAITSCHIES**, on January 25, 2005
at 9:00 A.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Karl Waitschies, Chairman (R)
Rep. Gary Branae, Vice Chairman (D)
Rep. Bob Lake, Vice Chairman (R)
Rep. John Balyeat (R)
Rep. Norma Bixby (D)
Rep. Edward B. Butcher (R)
Rep. Margaret H. Campbell (D)
Rep. Jill Cohenour (D)
Rep. Tom Facey (D)
Rep. Wanda Grinde (D)
Rep. George G. Groesbeck (D)
Rep. Dennis Himmelberger (R)
Rep. Carol Lambert (R)
Rep. Dave McAlpin (D)
Rep. Jim Peterson (R)
Rep. Holly Raser (D)
Rep. John (Jack) W. Ross (R)
Rep. Scott Sales (R)
Rep. Brady Wiseman (D)

Members Excused: None.

Members Absent: Rep. Bill Warden (R)

Staff Present: Jeff Martin, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 278, 1/19/2005; HB 355,
1/19/2005

Executive Action: HB 171; HB 283; HB 158; HB 252

HEARING ON HB 355

Opening Statement by Sponsor:

00:01:15 REP. MIKE JOPEK (D), HD 4, opened the hearing on
HB 355, Acquisition value system for owner-
occupied principal dwellings.

Proponents' Testimony: None.

Opponents' Testimony:

00:10:07 Mary Whittinghill, Montana Taxpayers Association
00:13:17 Ronald Elliott, Realtor, Three Forks, Montana
Association of Realtors and Gallatin Association
of Realtors
00:16:53 Webb Brown, Montana Chamber of Commerce

Informational Testimony:

00:18:35 Dolores Cooney, Department of Revenue

Questions from Committee Members and Responses:

None.

Closing by Sponsor:

00:19:20 REP. MIKE JOPEK (D), HD 4, closed the hearing on
HB 355.

HEARING ON HB 278

Opening Statement by Sponsor:

00:24:01 REP. EMELIE EATON (D), HD 58, opened the hearing
on HB 278, Tax credit for prescription drug
purchases.

Proponents' Testimony:

00:26:53 Verner Bertelsen, Montana Senior Citizen
00:29:09 Archie Nunn, Helena resident
00:30:38 Helena Mayor Jim Smith, Montana Pharmacy
Association
00:34:06 Kim Abbott, Working for Equality and Economic
Liberation (WEEL)

Opponents' Testimony: None.

Informational Testimony:

00:35:07 Shona McHugh, Bureau Chief, Individual &
Withholding Tax Division, Montana Department of
Revenue

Questions from Committee Members and Responses:

00:35:28 REP. WISEMAN

Closing by Sponsor:

00:37:52 REP. EMELIE EATON (D), HD 58, closed the hearing
on HB 278.

EXECUTIVE ACTION ON HB 171

00:42:15 **Motion:** REP. LAKE moved that HB 171 DO PASS.

EXHIBIT(tah19a01)

00:43:45 **Motion/Vote:** REP. COHENOUR moved that HB 171 BE
AMENDED. Motion carried unanimously by voice vote.

00:44:02 **Motion:** REP. COHENOUR moved that HB 171 DO PASS
AS AMENDED.

Discussion:

00:44:20 REP. FACEY

00:44:54 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 227

00:46:30 **Motion:** REP. COHENOUR moved that HB 227 DO PASS.

EXHIBIT(tah19a02)

00:47:28 **Motion:** REP. COHENOUR moved that HB 227 BE
AMENDED.

Discussion:

00:47:43 Jeff Martin, Legislative Services Division

00:51:02 REP. WISEMAN

00:53:18 REP. FACEY

00:53:46 REP. LAKE

00:54:53 REP. WISEMAN

00:55:04 REP. COHENOUR

00:57:22 REP. FACEY

00:58:11 REP. COHENOUR

00:59:23 REP. WARDEN ARRIVED AT HEARING

Discussion (con't):

01:00:17

REP. WISEMAN

01:02:14

CHAIRMAN WAITSCHIES

01:02:23

REP. COHENOUR WITHDREW MOTION TO VOTE ON AMENDMENT
AND TO DO PASS HB 227.

01:02:48

REP. LAKE

EXECUTIVE ACTION ON HB 283

01:03:40

Motion: REP. LAKE moved that HB 283 DO PASS.

Discussion:

01:03:52

REP. COHENOUR

01:04:24

REP. LAKE

01:04:48

REP. GROESBECK

01:05:23

Vote: Motion carried unanimously by voice vote
with REPS. BIXBY and HIMMELBERGER voting by proxy.

01:05:44

The motion to place HB 283 on the Consent Calendar
failed when REP. WISEMAN objected.

EXECUTIVE ACTION ON HB 158

01:07:11

Motion: REP. LAKE moved that HB 158 DO PASS.

Discussion:

01:07:27

REP. COHENOUR

01:08:07

Neil Peterson, Department of Revenue

01:10:24

REP. COHENOUR

01:12:01

CHAIRMAN WAITSCHIES

01:12:26

REP. PETERSON

01:13:11

REP. FACEY

01:14:35

REP. LAKE

01:15:44

REP. WISEMAN

01:18:12

REP. FACEY

01:19:56

REP. GRINDE

01:20:40

REP. WARDEN

01:22:40

CHAIRMAN WAITSCHIES

01:23:19

REP. FACEY

01:23:34

REP. WISEMAN

01:23:51

REP. PETERSON

01:25:00 Vote: Motion carried unanimously by roll call vote with REPS. BIXBY and HIMMELBERGER voting by proxy.

EXECUTIVE ACTION ON HB 252

01:26:33 Motion: REP. COHENOUR moved that HB 252 DO PASS.

01:26:43 Motion: REP. COHENOUR moved that HB 252 BE AMENDED.

EXHIBIT (tah19a03)

Discussion:

01:27:21 REP. COHENOUR
01:28:29 Jeff Smith, Legislative Services Division
01:30:06 REP. FACEY
01:32:04 REP. WISEMAN
01:32:27 REP. LAMBERT

01:33:23 Vote: Motion that HB 252 BE AMENDED carried unanimously by voice vote with REPS. BIXBY and HIMMELBERGER voting by proxy.

01:33:42 Motion: REP. COHENOUR moved that HB 252 DO PASS AS AMENDED.

Discussion:

01:33:52 REP. McALPIN
01:34:08 REP. SALES
01:34:31 REP. PETERSON
01:36:08 REP. RASER
01:37:15 REP. CAMPBELL
01:38:57 REP. LAKE
01:40:04 CHAIRMAN WAITSCHIES

01:41:07 Vote: Motion failed 9-11 by roll call vote with REPS. BRANAE, BIXBY, CAMPBELL, COHENOUR, FACEY, GRINDE, McALPIN, RASER and WISEMAN voting aye and REPS. BIXBY and HIMMELBERGER voting by proxy.

01:42:27 Motion/Vote: REP. SALES moved that HB 252 BE TABLED AND THE VOTE REVERSED. Motion failed 10-10 by roll call vote with REPS. BALYEAT, BUTCHER, GROESBECK, HIMMELBERGER, LAMBERT, PETERSON, ROSS, SALES, WAITSCHIES, and WARDEN voting aye with REPS. BIXBY and HIMMELBERGER voting by proxy.

01:44:36

ADJOURNMENT

Adjournment: 10:45 A.M.

REP. KARL WAITSCHIES, Chairman

DEBRA POLHEMUS, Secretary

KW/DP

Additional Exhibits:

EXHIBIT ([tah19aad0.PDF](#))